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ABSTRACT

The materials included in this booklet are designed for use by participants in Application Sessions A and B for Administrators, Title 9 Coordinators, Trustees and Board Members working with postsecondary education institutions. These materials are initial drafts prepared for field testing only. They are not the final products to be delivered at the completion of the project. The materials are organized into two sections: (1) Ensuring Procedural Title 9 Compliance--Establishing a Foundation for Sex Equity, and (2) Monitoring Title 9 Implementation. These participant materials are one component of a multi- component training model develcped by the Resource Center on Sex Roles in Education under a subcontract with the Council of Chief State School Officers (CCSSO). The training model is designed to assist education personnel and interested citizens in the implementation of Title 9 of the Education Amendments of 1972 and the attainment of sex equity in education. The training model will be utilized and tested in the 20 regional workshops of the CCSSO's Title 9 Equity Workshops Project. (Author)

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IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY

APPLICATION MATERIALS FOR ADMINISTRATORS

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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TITLE IX EQUITY WORKSHOPS PROJECT

COUNCIL OF CHIEF STATE SCHOOL OFFICERS
Suite 701/1201 16th St., N.W.
Washington, D.C., 20036

Field Test Materials
Not For Final Distribution

(Postsecondary Material)

IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY

APPLICATION MATERIALS FOR ADMINISTRATORS

Prepared for the
Council of Chief State School Officers'
Title IX Equity Workshops Projects

by the

Resource Center on Sex Roles in Education
National Foundation for the Improvement of Education

Field Test Materials
Not for Final Distribution

Preface

These participant materials are one component of a multi-component training model developed by the Resource Center on Sex Roles in Education under a subcontract with the Council of Chief State School Officers (CCSSO). The training model is designed to assist education personnel and interested citizens in the implementation of Title IX of the Education Amendments of 1972 and the attainment of sex equity in education. The training model will be utilized and tested in the 20 regional workshops of the CCSSO's Title IX Equity Workshops Project. Participant materials were funded under contract P-77-0139 with the Educational Equity Group of the National Institute of Education, Department of Health, Education, and Welfare. The Title IX Equity Workshops Project is funded under contract 300-76-0456 with the Women's Program Staff, U.S. Office of Education.

These materials are initial drafts prepared for field testing only. They are not the final products to be delivered at the completion of the project. Individuals or groups interested in reproducing these materials should obtain permission from the CCSSO Title IX Equity Workshops Project, as revisions of these materials are continually being made. It may be possible to obtain improved versions for reproduction. The final products will be completed April 1, 1978.

The materials included in this booklet are designed for use by participants in Application Sessions A and B for Administrators, Title IX Coordinator, Trustees and Board Members working with postsecondary education institutions. They were developed by Shirley McCune and Martha Matthews. Martha Matthews' time was partially supported by the Ford Foundation. Shirley McCune and Martha Matthews are Co-Editors of the training model. Members of the Resource Center staff who assisted include Ann Baucom and Ann Samuel.

These materials are organized within two sections:

- Ensuring Procedural Title IX Compliance: Establishing a Foundation for Sex Equity

  This section includes all worksheets used by participants during Application Session A for Administrators

- Monitoring Title IX Implementation

  This section includes all worksheets used by participants during Application Session B for Administrators

Acknowledgment is given to Sarita Schotta, Project Monitor, National Institute of Education, for the advice and assistance provided in the development of the participant materials for the regional workshops. Acknowledgment is also given M. Patricia Goins, Project Monitor, Women's Program Staff, U.S. Office of Education, and to Joan Duval, Director, Women's Program Staff for their advice and assistance in the implementation of the contract for the CCSSO Title IX equity Workshops Project.

Special appreciation is also extended to the twenty subcontractors implementing the model in the regional workshops for their contributions, support, and patience throughout the project.

October 1977

(Postsecondary Material)

ENSURING PROCEDURAL TITLE IX COMPLIANCE: ESTABLISHING A FOUNDATION FOR SEX EQUITY

APPLICATION SESSION A
FOR ADMINISTRATORS

Participant Worksheets

TITLE IX IMPLEMENTATION--ASSESSING YOUR PROGRESS AND PROBLEMS

Administrators Worksheet 1

1. What do you feel has been your area of greatest progress or satisfaction in implementing Title IX?

2. What do you feel has been your area of greatest difficulty or problems in implementing Title IX?

3. Of the five required compliance procedures (notification of nondiscrimination policy; designation of Title IX coordinator; implementation of a Title IX grievance procedure; implementation of a Title IX self-evaluation; submission of compliance assurances), which one have you found most useful in facilitating Title IX implementation? Why?

4. Of the five required compliance procedures, which one have you found least useful in facilitating Title IX implementation? Why?

5. What do you think would be the greatest help to you in the future in facilitating Title IX implementation and achieving sex equity in your schools?

THE ROLE OF THE TITLE IX COORDINATOR

Administrators Worksheet 2

The Title IX regulation requires that every education agency receiving Federal funds designate at least one employee responsible for the coordination of its efforts to comply with Title IX. The effectiveness of this employee, or Title IX coordinator, is one of the critical elements in the achievement of Title IX compliance and sex equity in any institution. When we think of the effectiveness of this individual, we often think primarily in terms of her or his personal attributes. There are, however, a variety of organizational factors which are at least as important as personal attributes in understanding the effectiveness of the Title IX coordinator.

This worksheet is designed to assist you in considering the structural institution factors which influence the functioning of the Title IX coordinator in your district. If you are a board member or administrator, answer the questions based on your understanding of the role of the Title IX coordinator in your institution. If you are the Title IX coordinator in your institution, answer them from your personal experience.

The worksheet is organized in five sections:

I. Defining the role

II. Analyzing the role

III. Identifying strengths

IV. Identifying improvements

V. Accomplishing improvements

(Note: The Title IX regulation established no particular requirements for the responsibilities or authority of the Title IX coordinator. The questions on this worksheet are based on general principles of organizational and personnel administration rather than on legal guidelines.)

I. Defining the Role

What are the responsibilities of the Title IX coordinator in your education institution? (Describe or list as many as you can before you turn the page.)

II. Analyzing the Role

The effectiveness of the Title IX coordinator is influenced by a variety of factors. Consider each of the factors suggested below and answer the questions as they relate to the Title IX coordinator in your institution.

A. Role delineation and communication

1. Is there a written job description for the Title IX coordinator which clearly specifies the tasks and responsibilities of the job?

2. Have all students and staff been informed of the functions of the Title IX coordinator and of their responsibilities for assisting or cooperating with the coordinator in fulfilling these functions?

B. Access to authority and information

1. To whom does the Title IX coordinator report?

2. Does the Title IX coordinator have full access to the chief executive officer in your institution?

3. Are procedures specified for the regular exchange of information between the Title IX coordinator and the chief administrative officer? If so, what are they?

4. Has the right of the Title IX coordinator to obtain access to any information necessary to the performance of job responsibilities been clearly specified to all staff?

C. Scope of responsibilities and tasks

1. Does the Title IX coordinator have responsibility for:

grievance procedure administration?

grievance/facilitation/for:

- students?
- employees?
- the administration?

grievance resolution or decisionmaking?

compliance recordkeeping?

program development/decisionmaking?

program recommendations?

staff/assistance/communications?

student interaction/assistance/communications?

other (specify):

2. Does the Title IX coordinator have job responsibilities other than those of Title IX coordination? If so, what are they?

D. Competencies required/support available

1. How would you describe the competencies or skills required by the Title IX coordinator?

Title IX knowledge:

administrative competencies:

interpersonal competencies:

other:

2. Were these specified as criteria for the selection of the Title IX coordinator?

3. Has the Title IX coordinator received any training in these areas?

4. Does the Title IX coordinator have support from other staff with any of these competencies?

III. Identifying Strengths

As you analyze the role and responsibilities of the Title IX coordinator in your institution, what do you see as strengths which have contributed to her/his effective functioning?

A. Strengths related to role delineation and communication:

B. Strengths related to access to authority and information:

C. Strengths related to scope of responsibilities and tasks:

D. Strengths related to competencies required and support available:

As you consider the strengths of your institution related to the functioning of the Title IX coordinator, what suggestions/assistance would you have for other postsecondary institutions interested in improving the effectiveness and functioning of their Title IX coordinators?

IV. Identifying Improvements

As you analyze the role and responsibilities of the Title IX coordinator in your institution do you see any improvements which might contribute to her/his effective functioning?

A. Improvements related to role delineation and communication:

B. Improvements related to access to authority and information:

C. Improvements related to scope of responsibilities and tasks:

D. Improvements related to competencies required and support available:

V. Accomplishing Improvements

What steps could be taken to accomplish each of the improvements you have identified?

IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES

Administrators Worksheet 3

The Title IX regulation requires that all education institutions receiving Federal funds adopt and publish a grievance procedure which can provide for the prompt and equitable resolution of student and employee complaints alleging violations of Title IX requirements. In the absence of further Federal specification of standards for the procedure, education institutions have adopted a variety of procedures which demonstrate a wide range of structures and of effectiveness.

The effectiveness of the Title IX grievance procedure can be a critical variable in the implementation of Title IX and the attainment of sex equity. It can serve to:

- provide a mechanism for involving faculty, staff, and students in the monitoring of Title IX compliance and the correction of sex discrimination
- increase dialogue and mutual problem-solving related to issues of educational equity among the various staff levels of the education institutions
- increase dialogue between the public and the institution related to issues of educational equity
- protect the education institution from Federal investigation and intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the institutional level

The purpose of this worksheet is to help you to increase the effectiveness of the Title IX grievance procedure in your institution and to implement the procedure in such a way that it can serve the various functions listed above. The worksheet is organized in two parts:

- Part One: Implementing Title IX Grievance Procedures--Problem Analysis

  This part contains a number of sample problems in grievance procedure implementation and worksheets on which you may analyze the problems and identify actions which might prevent them.

- Part Two: Implementing Title IX Grievance Procedures--Identifying Strategies to Increase Their Effectiveness

  This part reviews several of the functions which may be served by a Title IX grievance procedure and provides a structure for identifying strategies which might be used to ensure that a grievance procedure serves these functions.

Part One: Implementing Title IX Grievance Procedures--Problem Analysis

The five situations described below are typical of the problems encountered by many administrators in the implementation of the Title IX grievance procedure. They are problems in which substantive issues of Title IX compliance may be involved (e.g., is the athletics program nondiscriminatory?), but the primary problem in each situation relates to the implementation of the Title IX grievance procedure. The problems involve such issues as: the structure of the grievance procedure; the grievance decisionmaking process; grievance follow-up and monitoring; dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and training of staff regarding grievance processing, Title IX requirements, and grievance decisions and their implications.

Following the five problem situations, you will find five problem analysis sheets. Please read each situation carefully and fill out the problem analysis sheet which corresponds to each. Be as specific as you can in your answers.

Problem One

Ms. Rivera, the Title IX coordinator in your institution, is upset. During the past week, she has been very busy trying to prepare a summary and analysis of all Title IX grievances filed during the past semester for presentation at the next meeting of the trustees. In the past three days, however, she has had to spend a total of seven hours discussing possible Title IX grievances with two faculty members and one student, all of whom wished to discuss problems which are outside the scope of Title IX. Ms. Rivera realizes that faculty, staff, and students need information on Title IX and the grievance procedure, but feels that providing this information takes up so much of her time that she is having difficulty completing her other work.

Problem Two

Mr. Jenkins teaches metals shop at Logan Community College. He is meeting with the Dean to discuss his unhappiness with a recent grievance decision regarding participation by females in his program, particularly with that portion of the decision which relates to the use of facilities by female students. The Dean has reviewed the grievance decision and he believes it to be in accordance with Title IX requirements; this is what he tells Mr. Jenkins. Mr. Jenkins states repeatedly that he doesn't understand the reasoning behind the decision, that he feels it isn't workable, and that "faculty never have a say" in things that affect them and their teaching responsibilities. He also states that he is considering filing a grievance in the grievance procedure provided in the negotiated agreement between the college and the teachers' association of which he is a member.

Problem Three

You are the president of a community college which serves a farming community. You also act as Title IX coordinator, and as such you are responsible for receiving any Title IX grievances filed. As president, you are also responsible for deciding these grievances. You have never received a Title IX grievance, but you understand that a faculty Women's Caucus group is considering filing a complaint with the Office for Civil Rights regarding your institution's grievance procedure. You wonder why.

Problem Four

As president, you have just retained a new legal counsel for your institution. One of the first things she requested was a copy of your Title IX grievance procedure and a summary of the grievances filed and grievance decisions made over the past three months. You have just received a memo from her which states that although she thinks that your use of a grievance hearing panel (comprised of one administrator, one faculty member, and one student) at the third and final level of the grievance procedure was a good idea for ensuring involvement of the panel's decisionmaking. She suggests that two recent decisions involving competitive athletics are misinterpretations of Title IX requirements and that the institution may in fact be in noncompliance.

Problem Five

You are the Title IX coordinator in your institution. In reviewing the most recent Title IX grievances filed, you notice that four almost-identical recent grievances concern discrimination in student housing regulations. You are concerned because the grievances involved the same issue which was resolved in a grievance four months ago. You examine the grievances and you discover that: one grievance is from a student in the same dormitory in which the grievance was resolved four months ago and it appears that the corrective steps agreed upon in that case have not been implemented; and the other three grievances suggest that two other dormitories involved in these grievances have not received word of the revised institutional policy.

Problem Analysis--Problem One

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Two

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Three

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Four

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Problem Analysis--Problem Five

How would you describe the nature of the problem?

Is it related to:

_____ the structure of the grievance procedure
_____ the grievance decisionmaking process
_____ grievance follow-up and monitoring
_____ dissemination of information regarding the grievance procedure and/or grievance decisions and their implications
_____ training of staff regarding grievance processing/Title IX requirements/grievance decisions and their implications

Why?

How might this problem have been avoided?

Part Two: Implementing Title IX Grievance Procedures--Identifying Strategies to Increase Their Effectiveness

The opening page of this worksheet contained a listing of some of the functions which can be served by an effectively implemented Title IX grievance procedure. These include:

- providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination
- increasing dialog and mutual problem-solving related to issues of educational equity among the various groups involved in the institutional community
- protecting the education institution from Federal intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the institutional level

A Title IX grievance procedure which serves these functions can not only help to ensure that an education institution remains in compliance with the law, but can also help to establish patterns and structures of communication which can be utilized in the solution of a variety of problems which may arise in any institution.

These functions are not served by all Title IX grievance procedures automatically; special efforts must be made to ensure that a procedure is implemented in such a way as to make these functions possible.

Each of these functions is listed on the next several pages with space provided below it. Please consider each function and then list the kinds of strategies or action steps which might be taken in implementing a grievance procedure to ensure that it is fulfilled. You may find it useful to review the problem analyses you've just completed for ideas. You should remember to keep in mind the problem categories used in Part One of this worksheet: the structure of the grievance procedure; the grievance decisionmaking process; grievance follow-up and monitoring; dissemination of information regarding the grievance procedure and/or grievance decisions and their implications; and the training of staff regarding grievance processing, Title IX requirements, and grievance decisions and their implications. You may identify useful action steps related to any of these areas.

Remember to list action strategies and action steps which relate to the implementation of the Title IX grievance procedure.

Function One: Providing a mechanism for involving all employees and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination

Action strategies/steps which can ensure meaningful involvement of all employees and students in the Title IX monitoring process:

Function Two: Increasing dialog and mutual problem-solving related to issues of educational equity among the various groups involved in the institutional community (e.g., increasing dialog between administrators, faculty, staff, students, governance, etc.)

Action strategies/steps which can ensure dialog between the various groups within the education institution regarding Title IX and educational equity:

Function Three: Protecting the education institution from Federal intervention by providing a mechanism for resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the institutional level

Action strategies/steps which can ensure the validity of a grievance procedure as a mechanism for identifying and correcting Title IX violations:

Summary

With these functions and strategies in mind, can you identify steps which you should take to improve the effectiveness of the Title IX grievance procedure in your institution?

EVALUATING YOUR TITLE IX SELF-EVALUATION

Administrators Worksheet 4

By July 21, 1976, education institutions receiving Federal funds were required to:

- evaluate their policies, programs, and practices for their compliance with Title IX regulation requirements
- modify them as necessary to ensure compliance
- take steps to remedy the effects of any discrimination resulting from identified noncompliance

This process has usually been referred to as institutional self-evaluation.

An effective self-evaluation can provide data and establish procedures which are useful foundations for continuing Title IX implementation and monitoring efforts. This worksheet is designed to help you evaluate your self-evaluation, to assess its usefulness as a base for continuing efforts, or to identify ways in which you might improve it at this time. The worksheet is organized within six sections:

- Your Knowledge of the Self-Evaluation
- Your Self-Evaluation--The Content
- Your Self-Evaluation--The Process
- Your Self-Evaluation--Follow-Up and Monitoring
- Your Self-Evaluation--Its Strengths
- Your Self-Evaluation--Making Improvements

If you are not sure of the answer to any question, place a "?" in the right-hand margin.

(Note: The Title IX regulation established no particular requirements or standards for the self-evaluation other than that it should include the three components listed above. The questions in this worksheet are based on general principles of evaluation, rather than on legal guidelines.)

Your Self-Evaluation--The Content

1. Does the self-evaluation specifically cover:	Yes	No
• student admissions?	___	___
• student recruitment?	___	___
• student rules and regulations, including		
- rules of behavior?	___	___
- rules of appearance?	___	___
- rules regarding student domicile or residence, including those relevant to eligibility for in-state tuition?	___	___
- rules regarding eligibility for any aid, benefit, or service?	___	___
• student housing?	___	___
• facilities?	___	___
• student access to courses, including		
- course admission requirements?	___	___
- graduation requirements?	___	___
- disproportionate course enrollments?	___	___
• vocational education?	___	___
• physical education?	___	___
• counseling?		
- programs?	___	___
- materials?	___	___
- tests and instruments?	___	___
• financial assistance, including		
- assistance administered by an institution for study abroad?	___	___
- athletic scholarships and assistance?	___	___
• employment assistance to students?	___	___
• health insurance benefits and services?	___	___
• policies, programs, and practices related to student marital or parental status?	___	___
• athletics and competitive sports:		
- student activities and programs?	___	___

Your Knowledge of the Self-Evaluation

1. To the best of your knowledge, has your institution completed a self-evaluation to identify and correct any sources of possible non-compliance with the requirements of the Title IX regulation?

   Yes _____ No _____

2. Have you seen a copy of the self-evaluation or of the description of modifications and remedial steps taken as a result of the self-evaluation process?

   Yes _____ No _____

3. Were you involved in the self-evaluation in any way?

   Yes _____ No _____

   If yes, did you:

   design/assist in designing the evaluation? _____

   provide information? _____

   evaluate/assist in evaluating information? _____

   identify/assist in identifying modifications or remedial steps? _____

4. How would you describe the general quality of the self-evaluation? (Consider its comprehensiveness; the accuracy of its evaluation criteria; the accuracy of the data supplied, etc.)

   Why?

5. Was participating in/reviewing the self-evaluation a useful experience to you?

   Yes _____ No _____

   Why or why not?

- personnel practices? ___ ___

• employment policies and practices related to:

- recruitment/selection? ___ ___
- promotion, tenure, layoff, application of nepotism policies? ___ ___
- rates of pay; compensation? ___ ___
- job assignments and classification? ___ ___
- fringe benefits? ___ ___
- leaves of absence, including child-rearing leave? ___ ___
- terms of collective bargaining agreements? ___ ___
- administrative staff? ___ ___
- faculty? ___ ___
- support service staff? ___ ___

2. Does your self-evaluation clearly specify the documents, publications, etc., which were examined during the review process, and indicate the criteria used in examining each? ___ ___

3. Does your self-evaluation include objective data to support its conclusions, e.g.:

- list of course enrollments by sex? ___ ___
- description of athletic programs by sex? ___ ___
- survey of student athletic interests? ___ ___
- analysis of disciplinary actions by sex over a specified period of time? ___ ___
- listing of tests and counseling instruments used, with information on male/female norms, scales, etc.? ___ ___
- other (please list) ___ ___

_____

_____

_____

4. Does your self-evaluation clearly specify actions taken/to be taken when possible noncompliance is identified:

- corrective actions? ___ ___
- remedial steps? ___ ___

5. Are these actions generally:

- appropriate? ___ ___
- sufficient? ___ ___

Your Self-Evaluation--The Process

	Yes	No
1. Are the procedures and criteria used in the self-evaluation clearly specified?	___	___
2. Are the persons involved in the design of the self-evaluation clearly specified?	___	___
Did they include:		
• representatives of various schools/departments?	___	___
• staff with responsibilities in each of the areas evaluated?	___	___
• administrators?	___	___
• faculty?	___	___
• support staff?	___	___
• students?	___	___
• persons with expertise on Title IX?	___	___
3. Are the persons from whom information was requested clearly specified?	___	___
Did they include:		
• persons with diverse responsibilities and levels of responsibility in each of the areas evaluated?	___	___
- administrators?	___	___
- faculty/counseling staff?	___	___
- support staff?	___	___
• persons representing the various schools/departments?	___	___
• students?	___	___
• persons with expertise on Title IX?	___	___
4. Are the persons responsible for analyzing the information clearly specified?	___	___

Did they include:	Yes	No
• persons with diverse responsibilities and levels of responsibility in each of the areas evaluated		
- administrators?	___	___
- faculty/counseling staff?	___	___
- support/staff?	___	___
• students?	___	___
• persons with expertise on Title IX?	___	___
5. Were all persons in the institution notified of the self-evaluation and invited to submit any information they considered relevant?	___	___

Your Self-Evaluation--Follow-Up and Monitoring

	Yes	No
1. When corrective or remedial steps were required were timelines and staff responsibilites for their implementation clearly specified?	____	____
Were staff responsibilities for monitoring of these steps clearly specified?	____	____
Have all specified steps been implemented according to the appropriate timelines?	____	____
2. Are periodic updates of the self-evaluation planned or conducted?	____	____
3. Is your self-evaluation or a record of modifications and remedial steps available for review and comment by interested persons?	____	____

Your Self-Evaluation--Its Strengths

1. Based on your answers so far, what do you see as the strengths of your self-evaluation in facilitating Title IX compliance in your institution?

   Strengths related to content:

   Strengths related to process:

   Strengths related to follow-up and monitoring:

2. Based on your experience, what suggestions/assistance would you have for other institutions interested in improving their Title IX self evaluations?

Your Self-Evaluation--Making Improvements

1. Based on your answers so far, do you see any ways of improving your self-evaluation to increase its usefulness in your district?

   Improvements in content:

   Improvements in process:

   Improvements in follow-up and monitoring:

2. Is there any further information which would be helpful to you in considering or improving your self-evaluation?

MONITORING TITLE IX IMPLEMENTATION

APPLICATION SESSION B
FOR ADMINISTRATORS

Participant Worksheets

TITLE IX MONITORING ACTIVITIES

Administrator Worksheet 5

Monitoring Title IX compliance includes three basic activities:

- ongoing collection of information and data
- analysis of information and data
- identification of action alternatives

Please take a minute to think about your monitoring of Title IX-related concerns and answer the following questions:

1. What data and/or information are currently available to you regarding your institution's programs in implementing Title IX and attaining sex equity? (Include both formal and informal sources of information and data)

2. What additional sources of information of data could you identify and use?

3. What questions or criteria do you use in analyzing information regarding Title IX implementation in your institution?

4. What action have you/can you take to increase the implementation of Title IX?

IT'S UP TO YOU--TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Administrator Worksheet 6

Dr. Pat Carroll, President of New Hope College, has had six years of experience, and is known as a fair, effective administrator. Dr. Carroll is committed to improving the academic program at New Hope College and has been particularly interested in faculty development and improving the performance of faculty.

During the past five years, several members of the administrative staff have observed the passage of Title IX, the development of the regulation, and have taken a variety of actions to implement Title IX. They are pleased with the progress that has been made toward Title IX compliance, but are also concerned about the problems which are still evident.

A collection of the memos and letters relating to Title IX which have come to Dr. Carroll's desk during the past six months is provided in the following pages. Read each of them carefully, then determine the actions which should be taken to deal with the problem. You may make notes of your responses on the sheet which follows each memo or letter.

You will be asked to discuss your responses in a small group and come up with a group answer to the questions on the worksheets.

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Administrator Worksheet 7

TO: Dr. Carroll

FROM: Nell Snider, Dean of Students

RE: Counseling Staff

During the past few months I have received more than 20 complaints from students regarding the pressures that counselors place on them discouraging their enrollment in vocational programs which are nontraditional for their sex. Although notification has been sent to every member of the counseling staff that reduction of the sex disproportionate enrollments is a goal of institutional vocational education programs, it appears that some personnel are not facilitating progress toward this goal.

I am recommending that disciplinary actions be taken against those who are exerting such pressures. Is this consistent with your thinking? Do you have other suggestions for dealing with the problem?

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Nell Snider--Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication _____

Study or investigation _____

Staff orientation and information sessions _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify)

_____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Administrator Worksheet 8

TO: Dr. Carroll

FROM: Sharon Findley, Faculty
School of Education

RE: Personnel Policies

Four months ago I made application for the position of Dean of the School of Education which had been posted. My application was received, and I was recently interviewed by a search committee chaired by Florence Brown.

During the interview I was asked questions such as:

-Did my husband support my taking an additional responsibility?

-Would I be willing to work the extra time that would be necessary to complete the administrative requirements of the job?

-Did I really understand administration or had I been a "token" in my previous administrative assignments?

-Would I be able to ensure adequate care for my children if I were working in a job which required longer hours?

Although no announcement has been made as to the selection for this position, I believe that many members of the committee were biased in their consideration of a woman in this position and that, in fact, many of the questions asked me were illegal.

At the present moment I have no ideas as to a course of action which I might pursue, but I think that it is important that you know the facts of this case in order that some action may be taken to prevent this type of problem in the future.

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Sharon Findley--Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

   Policy development/clarification/communication _____

   Study or investigation _____

   Staff orientation and information sessions _____

   Program development/modification _____

   Budget allocation _____

   Disciplinary action _____

   Other (please specify)

   _____ _____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Administrator Worksheet 9

TO: Dr. Carroll

FROM: Tomas Ortega, Director
Counseling Center

RE: Need for new counseling materials

One of the major findings of the Title IX self-evaluation committee for counseling services was the fact that the majority of the career counseling and testing materials in use in the Counseling Center are very sex stereotyped. Most show almost no women working outside the home, and several go so far as to say that the most important career for any woman is marriage and motherhood. Separate forms of the career interest inventories are still being used--one for male students, and one for female students.

The committee recommended almost one year ago that funds be made available for the purchase of materials dealing with careers for girls and women, and that new testing materials be procured. The counseling department budget for next year has no item for the purchase of these materials. Dr. Van Horne, the director of counseling services, has told the self-evaluation committee that all materials procurement money must go to buy other materials.

We on the committee are disturbed that we are not providing good career counseling services to girls and that New Hope College may be in violation of Title IX.

We would like to discuss this matter with you at your convenience.

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Tomas Ortega--Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication _____

Study or investigation _____

Staff orientation and information sessions _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify)

_____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Administrator Worksheet 10

TO: President Carroll

FROM: Robert Welsh, Esquire

RE: Examination of possible sex discrimination in the contract between New Hope College and the New Hope Faculty Association

At your request I have reviewed the terms of the contract between New Hope College and the New Hope Faculty Association in an effort to identify any provisions which may be discriminatory. One clause appears to be discriminatory:

Section H - Salary Increments; Clause 4-Increments for Athletics Personnel

The contract states that male coaches are eligible for 5½% increment for the 77-78 year and that female coaches are eligible for a 4½% increment during the same period of time.

I would like to discuss this with you in greater detail in the near future.

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Robert Welsh--Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication _____

Study or investigation _____

Staff orientation and information sessions _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify)

_____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISION MAKING

Administrator Worksheet 11

TO: President Carroll

FROM: Jerri Dickinson
Physical Education Department

RE: Use of Whirlpool Equipment

It has been the policy of the physical education department to make whirlpool equipment available to any injured students. Until this year, the large majority of students using the equipment were males. In the few instances when females needed to use the equipment, special arrangements were made to use the equipment between the hours of 7:00 a.m. and 8:00 a.m.

Since the introduction of an expanded sports program for female students this fall, a number of injured female student have requested use of the equipment. The hours of 7:00 a.m. to 8:00 a.m. are often not convenient or adequate for the numbers of females who need to use the equipment, and use of the equipment requires a male staff member's assistance to secure access to the whirlpool equipment room.

Several female members of the staff have offered to assist in supervision of the equipment at other times of the day. Coach Williams, however, has refused to issue female staff keys to the room containing the equipment and/or to permit female staff to supervise use of the equipment.

Several staff members have repeatedly appealed this decision, but there has been no indication that any changes in policies or procedures will be made.

Do you have any suggestions?

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Jerri Dickinson - Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

   Policy development/clarification/communication _____

   Study or investigation _____

   Staff orientation and information sessions _____

   Program development/modification _____

   Budget allocation _____

   Disciplinary action _____

   Other (please specify)

   _____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

President Carroll
New Hope College
New Hope, Arizona

Dear President Carroll:

We are juniors at New Hope College. We are writing to ask your assistance in helping us secure an expansion of the women's intercollegiate athletics program.

At the present time, New Hope College has women's intercollegiate teams in basketball, field hockey, tennis, and gymnastics. The men's intercollegiate athletics program includes football, basketball, tennis, gymnastics, track, swimming, baseball, and wrestling. We believe that the athletic interests of female students are not being effectively accommodated.

We have talked to Coach McClure, the athletics director about this, and he said that he is sorry, but the athletics budget cannot be stretched any further. What can we do to increase the athletics opportunities for women?

Sincerely,

Ann Baucom

Benessa Jackson

Julia Gonzales

Connie Mitchell

Elma Smith

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Ann Baucom et al. - Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication _____

Study or investigation _____

Staff orientation and information sessions _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify)

_____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Administrator Worksheet 13

TO: President Carroll

FROM: Consuelo Noeth, Title IX Coordinator

SUBJECT: Report of Title IX Grievances at New Hope College

This report is to provide an update on Title IX grievances which have been handled during the six-month period between September, 1976 and March 1, 1977.

Number of grievances filed	57
Number of grievances resolved before formal hearings	21
Number of grievances heard at Level I	16
Number of grievances heard at Level II	9
Number of grievances heard at Level III	2
Number of grievances dropped	7
Number of grievances pending	2
	57

An analysis of the grievances indicates that 17 grievances involved employees; 40 involved student grievances.

The areas in which employees grievances were filed were:

Employment Grievances

Unequal pay for equivalent work	9
Discrimination in promotion	6
Unequal application of nepotism policy	2

Student Grievances

Discriminatory admissions policy	2
Differential tuition policies	5
Dicriminatory housing policies	14
Differential competitive sports programs	6
Differential scholarship opportunities	3
Differential facilities (housing)	7
Differential employment policies	3

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE

Consuelo Noeth - Individual Analysis

1. What are the implications of Title IX for this problem?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication _____

Study or investigation _____

Staff orientation and information sessions _____

Program development/modification _____

Budget allocation _____

Disciplinary action _____

Other (please specify)

_____ _____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

TITLE IX DECISION MAKING AT NEW HOPE COLLEGE
GROUP CONSENSUS SHEET

Administrator Worksheet 14

Please use this sheet to record the responses which are the consensus of your small group regarding one of the in-basket problems presented. (Other members of the small group should make similar sheets on the other problems.)

Problem: _____
(name of person submitted memo/letter)

1. What are the implications of Title IX for the problem to be addressed?

2. What further information is needed to facilitate action or decision making?

3. What kinds of action steps are suggested by this problem?

Policy development/clarification/communication	_____
Study or investigation	_____
Staff orientation and information sessions	_____
Program development/modification	_____
Budget allocation	_____
Disciplinary action	_____
Other (please specify)	
_____	_____

4. What specific alternatives are available for problem resolution?

5. Which alternative(s) would you select and why?

IMPROVING TITLE IX IMPLEMENTATION

Administrator Worksheet 15

During the session you have been exposed to a number of concepts and strategies regarding the intent of Title IX and its implementation. On the basis of the information gained today, please answer the following questions:

1. On the basis of information obtained during the workshop, I believe that Title IX implementation in our institution could be described as:

Little or uneven implementation	Basic procedural implementation	Major programmatic implementation	Full implementation

2. The information I need to collect regarding Title IX implementation in my institution is:

3. The person(s) from whom I need to collect this information is/are:

4. The most important actions which I can take to increase Title IX implementation in my institution are:

5. The things I need to do to accomplish this action when I return home are:

Appendices

IMPLEMENTING TITLE IX GRIEVANCE PROCEDURES

Administrators Worksheet 3A

Part One: Implementing Title IX Grievance Procedures--Problem Analysis Sample Analyses

Problem One

Nature of the problem:

The problem relates primarily to the dissemination of information regarding the grievance procedure--its coverage and its purposes--and the Title IX requirements.

No systematic methods of disseminating information on Title IX requirements, the Title IX grievance procedure, and Title IX implementation efforts to students or parents appear to have been implemented. For Ms. Rivera to provide all such information on a one-to-one basis is too time-consuming in view of her other Title IX-related responsibilities.

The problem might have been avoided by:

- more complete initial notification to students and employees of the particular rights protected by Title IX and the coverage and purposes of the Title IX grievance procedure
- development and distribution to interested persons of a pamphlet or brochure regarding Title IX requirements and the coverage of the Title IX grievance procedure
- implementation of open monthly or bi-monthly meetings on Title IX progress, problems, and concerns, during which faculty, staff, and students may come to ask questions and receive reports regarding Title IX rights and implementation efforts
- designation of several additional grievance representatives, who, under supervision of the Title IX coordinator, provide basic information on Title IX and the grievance procedure to interested faculty, staff, and students

Problem Two

Nature of the problem:

The problem seems to be related to three issues: the grievance decisionmaking process, grievance follow-up, and training of staff regarding Title IX requirements and grievance decisions and their implications.

There seems to be a perception on Mr. Jenkins' part that Title IX compliance procedures and grievance decisionmaking are "administrators' problems" which work to the detriment of faculty, rather than the legal and educational

responsibility of all institution employees. He is required to implement Title IX compliance procedures which he says he does not understand and which he does not feel are appropriate to his situation.

The problem might have been avoided by:

- providing orientation and training on Title IX requirements and their implications for instructional personnel to all faculty and staff
- involving faculty representatives from major instructional areas (e.g. vocational education) in the implementation of relevant portions of the institutional self-evaluation and the development of appropriate corrective actions
- involving faculty representatives in a grievance hearing panel or advisory committee on grievance resolutions
- involving persons affected by a grievance decision in grievance follow-up meetings to assist them in understanding and implementing the grievance decisions or in developing the corrective measures which best fit their programs and ensure nondiscrimination and appropriate remedial actions
- implementing periodic meetings between faculty and the Title IX coordinator to discuss faculty concerns related to Title IX (these could be provided within the agenda of regular faculty meetings.)

Problem Three

Nature of the problem

The problem relates to the structure of the grievance procedure and to the grievance decisionmaking process.

The institution's Title IX grievance procedure is not used, and it is apparently not perceived by the community as a procedure which offers a viable method of problem presentation and resolution. This probably stems from two sources.

1. Because the president is the sole and final authority for grievance decisionmaking, the structure of the procedure provides no progressive appeals mechanism, and there is no apparent assurance that the grievance decision will be made by a person who is not primarily involved in its outcome.
2. Because the president is the only person designated to receive grievances when filed, students and employees may find it difficult and intimidating to file their grievances at the central administrative office.

The problem might have been avoided by:

- designing a grievance procedure which provides several different levels of grievance consideration, e.g.: step one--the departmental level; step two--the institutional administration (dean or president)

step three--the board or designated hearing panel. (Such a procedure provides progressive levels of appeal and helps to ensure that the grievance may be considered by a variety of persons with varying perspectives and degrees of involvement in the grievance resolution.)

- designating various persons as Title IX representatives who can receive Title IX grievances

Problem Four

Nature of the problem:

The problem concerns two interrelated issues: the grievance decisionmaking process and the training of persons serving on hearing panels regarding grievance processing and Title IX requirements.

A grievance decisionmaker can only be effective if she/he has a good working understanding of the Title IX regulation and its implications. A grievance hearing panel is an extremely useful method of providing relatively neutral grievance decisionmaking and ensuring that a variety of groups are involved in the grievance decisionmaking process. Such a panel can represent a variety of perspectives in the decisionmaking process and can assist in the interpretation of grievance decisions to their varying constituencies. However, it can only be effective in protecting both the institution and its students and employees from violations of Title IX when its members are trained in or knowledgeable of Title IX requirements and the kinds of steps which may be necessary to correct and remedy any identified violations.

(The secondary problem, the institution's possible noncompliance with Title IX requirements for nondiscrimination in athletics, is partially a by-product of this fundamental problem. Although the district must certainly take steps to correct and remedy this noncompliance, it is critical that steps be taken to minimize the possibility of inaccurate grievance decisionmaking in the future.)

The problem might have been avoided by:

- providing mandatory training for all panel members regarding Title IX requirements and grievance decisionmaking
- providing a grievance hearing panel its own budget allocation with which to obtain expert legal counsel when necessary (counsel which is not directly retained by the institution administration or governance board)

Problem Five

Nature of the problem:

The problem seems to relate to two areas of grievance procedure implementation: grievance follow-up and monitoring, and the dissemination of information regarding grievance decisions and their implications.

The problem appears to have two primary aspects:

1. Monitoring efforts necessary to ensure implementation of the corrective steps required under the first grievance decision were apparently not undertaken (thus the Title IX coordinator discovers four months later that the identified discrimination still exists).

2. There appear to have been no efforts made to communicate the results of the first grievance decision to persons not directly involved in that grievance, particularly to relevant persons within the housing department (three almost-identical grievances were filed from two other dormitories).

The problem might have been avoided by:

- instituting a follow-up and monitoring system to ensure that all grievance decisions are implemented in a timely and effective fashion (such a system might include required submission of specified information by the person(s) responsible for implementing corrective and remedial action; surveys to grievants; direct observations by the Title IX coordinator, etc.)

- instituting a grievance decision reporting system to inform all necessary staff and interested persons of grievance decisions and their implications for school policies, programs, procedures, and practices (such a system might involve periodic written reports, periodic briefings, etc.)

Part Two: Implementing Title IX Grievance Procedures--Identifying Strategies to Increase Their Effectiveness

Function One: Providing a mechanism for involving all personnel and students in the monitoring of Title IX compliance and the correction of illegal sex discrimination

If a Title IX grievance procedure is to serve this function, it is critical that all personnel and students have access to information regarding Title requirements and the Title IX grievance procedure. It is to the advantage of the education institution to promote such involvement as a means of ensuring that discrimination is identified and corrected as expeditiously as possible.

Action strategies/steps:

- inclusion of information on Title IX requirements and the Title IX grievance procedure in all faculty and staff handbooks and student handbooks

- development of a brochure regarding Title IX requirements and the Title IX grievance procedure; one-time dissemination to all employees and students, dissemination thereafter upon request and to all new employees and students

- development and dissemination of a periodic Title IX newsletter with information regarding Title IX grievance procedures and revisions in

agency policies, programs, procedures, and practices undertaken as a result of grievance decisions

- implementation of periodic Title IX briefing and question/answer sessions for interested faculty and students
- implementation of training on Title IX requirements and agency compliance efforts for key leaders of various personnel and student groups
- implementation of periodic surveys of employees and students to assess their knowledge of Title IX requirements and of the Title IX grievance procedure, its use, and its purpose
- designation of Title IX grievance representatives in all schools and departments who can provide employees and students basic information regardin Title IX requirements and the use of the Title IX grievance procedure
- review of all Title IX grievance forms to ensure that they are simple to use and comprehensible to all employees and students
- opening of grievance records (with names and identifying information removed) to interested staff and students
- inclusion in the Title IX grievance procedure of methods for informal discussion of Title IX related issues at the pre-grievance stage

Function Two: Increasing dialog and mutual problem-solving related to issues of educational equity among the various groups involved in the institutional community

If Title IX grievance resolutions are to be effectively implemented, it is important that the variety of persons who may be affected by any resolution are involved in its formulation or receive thorough information about the resolution and an opportunity to comment on its workability. A Title IX grievance procedure which provides such involvement or opportunity can also serve to increase the general level of communication and dialog between various groups who are involved in the institutional community.

Action strategies/steps:

- involving representatives of various groups or levels of personnel (faculty, staff, students, etc.) in a review of the Title IX grievance procedure and in the suggestion of appropriate modifications
- reviewing the Title IX grievance procedure to ensure that it provides procedural rights to all persons who may be involved in a Title IX grievance as either a grievant or a person named as a possible Title IX violator
- involving representatives of various groups on grievance hearing panels or grievance advisory boards

- providing an opportunity for any employee affected by a grievance resolution to consult with grievance decisionmakers regarding the specification of appropriate corrective and remedial actions

- implementing periodic surveys of employees to determine their perceptions of the effectiveness of Title IX grievance procedures and grievance-related revisions in policy, program, or practice.

Function Three: Protecting the education institution from Federal intervention by providing a mechanism for the resolution of allegations of Title IX violations and development of necessary corrective and remedial actions at the institutional level

If the Title IX grievance procedure is to be effective as a mechanism for resolving Title IX grievances locally without Federal intervention, several conditions must be met:

1. The procedure must provide due process for all parties to the grievance. (If due process is not provided, it is unlikely that the procedure will be utilized.)

2. The procedure must provide equitability and some assurance that grievances will be heard by persons not directly involved in the outcome of the grievance. (If there is no attempt to ensure that the grievance decision will be a fair and neutral one, it is again unlikely that the procedure will be utilized.)

3. All grievance decisions must be made in accordance with Title IX requirements. (If decisions are made without adequate information on Title IX, or on the basis of expediency, the grievant is likely to resort to the Federal administrative complaint procedure.)

4. All actions necessary to correct and remedy identified discrimination must be taken in a timely and effective fashion. (If necessary corrective and remedial actions are not taken, the grievant is again likely to resort to the Federal administrative complaint process through which correction may be compelled by financial sanctions.)

5. The grievance procedure must be implemented in a timely fashion. (Unless the grievance procedure provides for timely grievance resolution, the advantage of this procedure to the grievant may be reduced.)

In short, if the procedure is to be useful to both the grievant and the education agency, it must be structurally sound and implemented in a good-faith manner.

Action strategies/steps:

- review the Title IX grievance procedure to ensure that it provides for

  - due process
  - equitability and impartial decisionmaking

- timely resolution of complaints
- protection of grievants from harassment and retaliation

review the implementation of the Title IX grievance procedure to ensure that:

- all grievance decisions have been made in accordance with Title IX requirements
- all grievance decisionmakers are knowledgeable regarding or have received training in Title IX requirements
- all grievance decisions specify appropriate corrective and remedial steps when discrimination is identified
- follow-up and monitoring efforts are made to ensure the implementation of grievance decisions

TITLE IX DECISION MAKING

Administrator Worksheet 7A

Nell Snider

1. The Title IX regulation states that counselor may not discriminate against any person on the basis of sex in the counseling process /86.23(a)/ and that course offerings, including vocational education courses, may not be provided separately on the basis of sex /86.34/

2. Further information is needed regarding the specific nature of the pressures that students have experienced as they are moving into vocational education programs, the policies and policy guidelines which specify open access to courses, and copies of any course selection materials that are made available to students.

3. The possible actions suggested by the problem involve policy development/clarification/communication, staff orientation, and program modification/development.

4. A number of alternatives are available:

   - Prepare policy guidelines regarding nondiscrimination in student access to courses and distribute them to all counselors and instructional staff.

   - A program of staff orientation regarding the responsibilities of counseling staff for nondiscrimination could be developed and implemented for all staff.

   - A program of career planning and support services to overcome the effects of past discrimination could be developed for all students, with special attention being given to students interested in nontraditional areas. This might include support groups for students, open house sessions to expose all students to the range of available vocational education alternatives, discussion sessions with men and women in nontraditional jobs, etc.

   - A review of student handbooks, career planning materials, course descriptions, etc. could be made to ensure that they are nondiscriminatory and that students know of their rights to equal access to courses.

   - Disciplinary actions could be taken in those instances where it is clear that personnel continue to exert pressures on or to harass students.

5. Each alternative should be implemented.

TITLE IX DECISION MAKING

Administrator Worksheet 8A

Sharon Findley

1. Under the provisions of the Title IX regulation, an employer may not take any employment action concerning the marital, parental, or family status of an employee or applicant which treats persons differently on the basis of sex; or make any pre-employment inquiries of one sex if they are not made of the other sex. [86/57(a)] and [86.60(a) (b)]

2. Further information is needed to determine whether the same inquiries were made of male applicants and whether specific policy and guidelines have been developed regarding the interviewing of job candidates.

3. The action steps which are suggested include:

   - development of policy regarding nondiscriminatory hiring (if it does not exist)

   - development of policy guidelines regarding nondiscrimination in employment interviewing (if they do not exist)

   - provision of search committee orientation sessions

4. The alternatives which are available to President Carroll include:

   - to write a letter to Ms. Findley thanking her for the information, assuring her that steps will be taken to ensure a fair and unbiased consideration of her qualifications, and that actions will be taken to prevent recurrence of this experience

   - to prepare and disseminate a statement clarifying district policy in this area

   - to develop a program of search committee orientation for all persons with responsibility for interviewing and hiring persons

5. Each of the alternatives should be implemented.

TITLE IX DECISION MAKING

Administrator Worksheet 9A

Tomas Ortega

1. Each agency receiving Federal funds is required to develop and use internal procedures to ensure that existing counseling materials are not discriminatory. Agencies may not use materials which permit or require different treatment of students on the basis of sex. [86.36(b)]

2. Further information is needed regarding the counseling materials currently being used, level of staff awareness and the patterns of use of sex-stereotyped materials, and the availability of other funds.

3. The primary action steps suggested by this problem would be related to budget allocations for purchase of sex-fair materials and to the development of a program for internal development of supplementary materials.

4. Available alternatives include:

   - review of the use of allocated funds to assess the possible reduction of funds
   - review of the possibilities of securing funds for purchase of materials
   - involvement of staff in an assessment of materials currently being used
   - involvement of staff in the development of supplementary materials
   - orientation of staff in guidelines for nondiscriminatory use of biased counseling materials

5. Each of the alternatives should be considered.

TITLE IX DECISION MAKING

Administrator Worksheet 10A

Robert Welsh

1. The Title IX regulation requires that employers may not, on the basis of sex, make distinctions in the rates of pay for equal work. §86.54 If coaching positions are equivalent, no distinctions may be made on the basis of sex.

2. The contract language is clearly discriminatory on its face, in that the salary distinctions are made on the basis of sex of employees. Further information is therefore not needed for determining the legality of the contract language, but it might be useful in identifying alternative contract provisions. Information useful for this purpose would include descriptions of each coaching position in terms of responsibilities, competencies required, etc; criteria used for establishing coaching salaries; projected athletics program plans and budgets, etc.

3. Action steps which are indicated include policy development/clarification/communication and budget allocation/reallocation.

4. Available alternatives include:

   - work with the faculty association to change the terms of the agreement (contract)
   - develop criteria for the determination of pay increments on the basis of factors other than sex (e.g. performance, responsibility, etc.)
   - implement procedures necessary to equalize pay of female and male staff on the basis of the criteria developed (other than sex)
   - revise athletics budget as required to accommodate salary changes

5. Each of the alternatives should be implemented.

TITLE IX DECISION MAKING

Administration Worksheet 11A

Jerri Dickinson

1. The Title IX regulation requires that students may not be provided different aid, benefits, or services on the basis of sex /§86.31(b)/. In addition, female employees may not be discriminated against in job assignments /§86.51(a)/ on any other condition or privilege of employment /§86.51(b)/

2. Further information is needed regarding the policies governing the use of whirlpool equipment, the method and rationale for assigning responsibility for supervision of equipment, and the policies governing staff access to facilities.

3. Action steps which are suggested include policy modification and staff orientation efforts.

4. Available alternatives include:

   - Develop a policy to provide female students' equitable access to use of whirlpool equipment.
   - Develop criteria for determining competencies for staff supervision of whirlpool equipment.
   - Review and consider modification of policies regarding differential staff access to facilities on the basis of sex.
   - Develop a program of staff orientation which can assist physical activity staff in the implementation of nondiscriminatory programs and related problem-solving strategies.

5. All alternatives should be implemented.

TITLE IX DECISION MAKING

Administrator Worksheet 12A

Ann Baucom et.al.

1. Agencies receiving Federal funds are required to evaluate their total athletic program to determine whether or not it effectively accommodates the interests and abilities of members of both sexes. Factors which should be considered in the evaluation include the nature and extent of sports programs offered and their accommodation of the interests and abilities of males and females in both sports and the level of competition offered. [§86.41(c)]

2. Further information is needed regarding:

   - the nature of the budget problems which the athletics director alluded to; the specific sports and levels of competition currently being provided for males and females; any efforts made to assess the athletic interests of females; and the plans that may have been developed for the expansion of female sports programs (including specific sports and timetables).

3. The action steps suggested by the problem are program modification/development, study and investigation of female interests if this has not been done, and policy clarification.

4. Available alternatives include:

   - meeting with the athletics director to obtain a report of current female and male sports activities, plans for the future, and an analysis of barriers to immediate equalization of programs (including projected timelines for elimination of their barriers)

   - conducting an inventory of the athletic interests of female and male students in interscholastic and intramural sports (if one has not already been completed)

   - reviewing plans, if any, for the expansion of female sports programs including timetables, sports, and financial projections

   - meeting with students to obtain greater information, to clarify policy and plans, and to obtain their suggestions for institutional program revisions

5. Each of the alternatives should be implemented.

TITLE IX DECISION MAKING

Administrator Worksheet 13A

Consuelo Noeth

1. Every agency receiving Federal funds must adopt, publish, and maintain grievance procedures which provide a method of resolving student and employee grievances. [§86.8(b)]

2. Further analysis of the grievances is required in order to identify:

   - any similarities in the grievance allegations or situations suggesting systemic problems or patterns of discrimination
   - any patterns or inconsistencies in grievance resolutions
   - any recommendations for action which emerge from patterns identified
   - any needs for individual problem-solving, correction, or reinforcement
   - areas for further monitoring

   Ms. Noeth's analysis is positive in that it provides information on the numbers of grievances in particular areas, but information on outcomes and recommendations for action is needed.

3. The action steps that are suggested include further study of the specifics of the grievances (e.g., possible reasons for the concentration of grievances in a few areas); specific policy recommendation. The need for staff orientation and information sessions is suggested by the number of grievances. It would appear that this reflects the need to ensure understanding of the Title IX regulation requirements throughout the total system.

4. Alternatives that are available include:

   - Request the Title IX coordinator to provide additional information such as:
     - listing of outcomes of grievances by type of grievance
     - listing of grievances by department
     - identification of the problems involved in the grievances
     - recommendations for actions which should be taken
   - Request the Title IX coordinator to develop criteria for analysis of the grievances and establish a timetable for regular reporting and analysis of grievance handling.

- Request the Title IX coordinator to review the institutional self-evaluation. Make recommendations for re-evaluation where desirable.

- Review the policies and policy communications regarding compensation of staff and student housing. Meet with department heads to obtain further information and develop appropriate actions.

- Implement staff orientation sessions to apprise staff of their responsibilities for Title IX compliance.

5. All alternatives should be used.